

In the Drawings:

Please replace Figure 1 with the attached replacement drawing sheet.

Attachment: Replacement sheet

REMARKS

Applicants thank the Examiner for noting the discrepancy regarding the positioning of the lower cladding layer and the lower guide layer in Figure 10. Applicants have amended paragraph [0005] of the specification according to the Examiner's suggestion, thereby mooting the Examiner's objection to Figure 10.

Applicants have also submitted a replacement sheet for Figure 1 to correct a similar discrepancy regarding layers 107 and 111.

Claims 1-5, 8, 10 and 12 stand rejected under 35 USC 102(b) on Fukunaga (U.S. Patent No. 6,195,373). Applicants respectfully traverse the rejection.

Applicants have amended claim 1 to recite that, "the second guide layer is formed of AlGaAs and is in contact with the p-type cladding layer and the quantum well active layer." The Examiner has asserted that the upper optical waveguide layer 7 of Fukunaga corresponds to the second guide layer of claim 1. Fukunaga teaches that its upper optical waveguide layer 7 is composed of a plurality of layers including an $\text{In}_{x2}(\text{Al}_{z2}\text{Ga}_{1-z2})_{1-x2}\text{As}_{1-y2}\text{P}_{y2}$ and a $\text{Ga}_{1-z1}\text{Al}_{z1}\text{As}$ layer (See col. 3, lines 57-60, and col. 4, line 63, through col. 5 line 1).

Accordingly, Fukunaga does not disclose or suggest the features recited in claim 1, which is therefore allowable.

Claim 12 has been rewritten in independent form to recite an optical disk unit comprising a semiconductor laser device itself comprising features substantially similar to those discussed above with regard to claim 1. Claim 12 is therefore allowable for at least the reasons detailed above.

Claims 3-5, 8 and 10 depend from allowable claim 1 and are therefore allowable due at least to their respective dependencies. Applicants have canceled claim 2.

Claims 9 and 11 stand rejected under 35 USC 103(a) on Fukunaga. Applicants respectfully traverse this rejection.

As detailed above, Fukunaga does not disclose or suggest all of the features recited in amended claim 1. Accordingly, claims 9 and 11, which depend from allowable claims, are allowable due at least to their respective dependencies.

Applicants have amended claim 6, which was objected to by the Examiner, to include all of the features of the original claim 1 as suggested by the Examiner. Claim 6, and claim 7 which depends from claim 6, are therefore allowable.

Claims 13-15 have been added to round out the scope of the claims. Claim 14 recites features substantially similar to those discussed above with regard to claim 1, and is therefore allowable for at least the reasons detailed above. Claims 13 and 15 depend from allowable claims and are therefore allowable due at least to their respective dependencies. No new matter has been added.

Applicants solicit an early action allowing the claims.

In the event the U.S. Patent and Trademark Office determines that an extension and/or other relief is required, applicants petition for any required relief, including extensions of time, and authorize the Commissioner to charge the cost of such petitions and/or other fees due in connection with the filing of this document to **Deposit Account No. 03-1952** referencing Docket No. **204552031900**.

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Respectfully submitted,

By 

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Attachments:
Replacement sheet